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**Knobbe Martens Olson & Bear LLP**

Intellectual Property Law

**SEP 01 2006**  
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TO: Examiner Leon Lankford Jr.

FIRM: U.S. Patent and Trademark Office, Group Art Unit 1651

FACSIMILE NO.: 571-273-8300

FROM: Eric S. Furman

OPERATOR: MLJ

DATE: September 1, 2006

NO. OF PAGES: 7 (incl. cover sheet)

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**MESSAGE:**

DEAR EXAMINER LANKFORD,

PLEASE FIND THE ATTACHED REVOCATION AND POWER OF ATTORNEY AND SUPPORTING DOCUMENTS. CYTORI THERAPEUTICS HAS TRANSFERRED PROSECUTION OF THEIR PATENT PORTFOLIO TO OUR FIRM AND I WOULD LIKE TO SET-UP AN INTERVIEW WITH YOU TO DISCUSS THE §112 ISSUES IN THE LIPOASPIRATE APPLICATIONS, IN PARTICULAR, U.S. APPLICATION NO. 10/614,392 AND RELATED CASES. I WILL CALL YOU SHORTLY TO INTRODUCE MYSELF AND SEE IF WE CAN FIND A TIME TO DISCUSS THESE APPLICATIONS.

Best regards,

  
 Eric S. Furman, Ph.D.  
 45,664
2892451  
090106Orange County  
949-760-0404San Francisco  
415-954-4114Los Angeles  
310-551-3450Riverside  
951-781-9231San Luis Obispo  
805-547-5580

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PATENT

**ESTABLISHMENT OF RIGHT OF ASSIGNEE TO TAKE ACTION  
AND  
REVOCATION AND POWER OF ATTORNEY**RECEIVED  
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To the Commissioner of Patents and Trademarks:

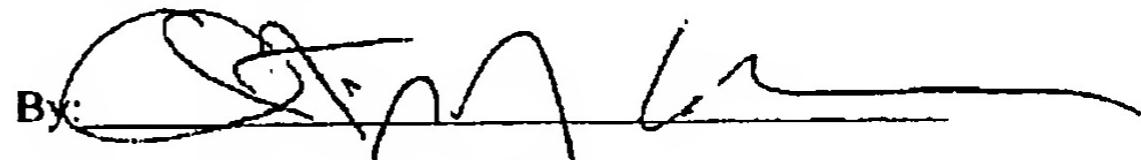
The undersigned is empowered to act on behalf of the assignee indicated below (the "Assignee"). The original assignment of the attached application for Letters Patent for the invention in **SYSTEMS AND METHODS FOR TREATING PATIENTS WITH PROCESSED LIPOASPIRATE CELLS** (U.S. Application Nos.: 10/316,127; 10/614,431; 10/614,392; 10/614,644; 10/614,648; and 10/614,643) from the inventor to the Assignee is being submitted herewith for recordation by the Assignment Branch. A true copy of this Assignment is attached hereto. This Assignment represents the entire chain of title of this invention from the Inventor to the Assignee. I have reviewed this Assignment, and to the best of the Assignee's knowledge and belief, the Assignee is the owner of the entire right, title, and interest in the above-referenced application.

I declare that all statements made herein of my own knowledge are true, and that all statements made upon information and belief are believed to be true, and further, that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that willful, false statements may jeopardize the validity of the application, or any patent issuing thereon.

The undersigned hereby revokes any previous powers of attorney in the subject application, and hereby appoints the registrants of Knobbe, Martens, Olson & Bear, LLP, 2040 Main Street, Fourteenth Floor, Irvine, California 92614, Telephone (949) 760-0404, Customer No. 20,995, as its attorneys with full power of substitution and revocation to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected herewith. This appointment is to be to the exclusion of the inventor(s) and his attorney(s) in accordance with the provisions of 37 C.F.R. § 3.71.

Please use **Customer No. 20,995** for all communications.

Assignee: CYTORI THERAPEUTICS, INC.

By: 

Title: Chief Executive Officer

Address: 3020 Callan Road  
San Diego, CA 92121

Dated: August 30, 2006

2885113  
083006

JAN-24-06 04:08PM FROM-StoutUxaBuyanMullins

+840-450-1764

T-727 P.001/003 F-406

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MA9658P

PWHEN RECORDED, RETURN TO:

Kenton R. Mullins  
**STOUT, UXA, BUYAN & MULLINS, LLP**  
 4 Venture, Suite 300  
 Irvine, CA 92618

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**ASSIGNMENT**

WHEREAS, WE, JOHN K. FRASER and MARC H. HEDRICK, both residing in California, have invented certain new and useful improvements in:

**SYSTEMS AND METHODS FOR TREATING PATIENTS WITH PROCESSED LIPOASPIRATE CELLS**

for which the said JOHN K. FRASER has this 7th day of March, 2003 executed application papers for United States Letters Patent thereon; and

the said MARC H. HEDRICK has this 21 day of March, 2003 executed application papers for United States Letters Patent thereon;

WHEREAS, MACROPORE BIOSURGERY, INC., hereinafter called Assignee, having a place of business at 6740 Top Gun Street, San Diego, California 92121, is desirous of acquiring the entire and exclusive right, title and interest in and to the aforesaid invention and in and to any and all Letters Patent therefor granted in the United States of America, and in any and all countries foreign thereto (including the right to apply for Letters Patent in foreign countries in its own name and to claim any priority rights for such foreign applications to which such applications are entitled under international conventions, treaties, or otherwise), in and to the said invention as described in said applications, and in and to all Letters Patent granted therefor, and all divisions, reissues and continuations thereof, and I hereby authorize and request the Commissioner of Patents and Trademarks to issue all Letters Patent on said invention or resulting therefrom to said Assignee, as assignee of my entire right, title and interest, and I covenant that I have full right so to do and agree that I will communicate to said Assignee, or its successors any and all facts known to me regarding said invention whenever requested, and will testify in any legal proceeding, sign all lawful papers, execute all divisional, reissue and continuation applications, and generally do everything possible to aid said Assignee, its successors and assigns, to obtain and enforce proper patent protection for said invention in all countries;

NOW, THEREFORE, TO WHOM IT MAY CONCERN, be it known that, for and in consideration of the sum of ONE DOLLAR (\$1) paid to me in hand paid by Assignee, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, WE, JOHN K. FRASER and MARC H. HEDRICK by these presents do hereby sell, assign and transfer unto Assignee, its successors and assigns, the full and exclusive right, title and interest in and to the said invention, and in and to any Letters Patent which may be granted and issued in the United States and throughout the world therefor.

AND, I HEREBY AUTHORIZE AND REQUEST the Commissioner of Patents and Trademarks to issue said United States Letters Patent to the said MACROPORE BIOSURGERY, INC..

09/01/06 10:42 FAX 16192350176

KMOB SAN DIEGO

004

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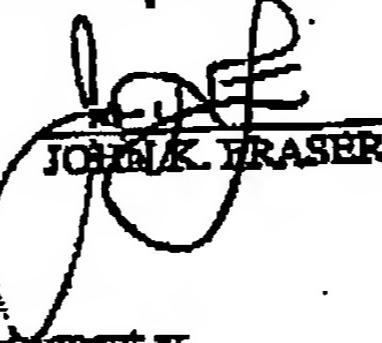
MA9658P

IN WITNESS WHEREOF, I have executed this instrument at 6740 Top Gun St.  
San Diego, CA

this 4<sup>th</sup> day of Apr 1, 2003.

Witness:  
(print name)

John K. Fraser

  
JOHN K. FRASER

IN WITNESS WHEREOF, I have executed this instrument at \_\_\_\_\_

this \_\_\_\_\_ day of \_\_\_\_\_, 2003.

Witness:  
(print name)

MARCH H. HEDRICK

09/01/06 10:42 FAX 16192350176

KMOB SAN DIEGO

005

JAN-24-06 04:10PM FROM-StoutUxaBuyanMullins

+040-450-1784

T-727 P.003/003 F-406

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MA9658P

this \_\_\_\_\_ day of \_\_\_\_\_, 2003.

Witness: \_\_\_\_\_ JOHN K. FRASER  
(print name)

IN WITNESS WHEREOF, I have executed this instrument at Manorox/Skinner  
1125 Fairview Drive T.P. C4 G6320

this 7<sup>th</sup> day of March, 2003.

Witness: Marc Hedrick Marc Hedrick  
(print name) MARC H. HEDRICK

USPTO Assignments on the Web

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6740 TOP GUN STREET  
 SAN DIEGO, CALIFORNIA 92121

**Correspondent:** KENTON R. MULLINS  
 STOUT, UXA, BUYAN & MULLINS, LLP.  
 4 VENTURE, SUITE 300  
 IRVINE, CA 92618

**Assignment: 4**

**Reel/Frame:** 017512/0064      **Recorded:** 01/31/2006      **Pages:** 3

**Conveyance:** MERGER (SEE DOCUMENT FOR DETAILS).

**Assignor:** MACROPORE BIOSURGERY, INC.      **Exec Dt:** 07/11/2005

**Assignee:** CYTORI THERAPEUTICS, INC.  
 3020 CALLEN ROAD  
 SAN DIEGO, CALIFORNIA 92121

**Correspondent:** KENTON R. MULLINS  
 STOUT, UXA, BUYAN & MULLINS, LLP.  
 4 VENTURE, SUITE 300  
 IRVINE, CA 92618

**Assignment: 5**

**Reel/Frame:** 017512/0067      **Recorded:** 01/31/2006      **Pages:** 3

**Conveyance:** MERGER (SEE DOCUMENT FOR DETAILS).

**Assignor:** MACROPORE BIOSURGERY, INC.      **Exec Dt:** 07/11/2005

**Assignee:** CYTORI THERAPEUTICS, INC.  
 3020 CALLEN ROAD  
 SAN DIEGO, CALIFORNIA 92121

**Correspondent:** KENTON R. MULLINS  
 STOUT UXA, BUYAN & MULLINS, LLP  
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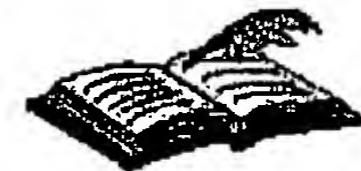
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**NOTE: Results display only for issued patents and published applications.**  
**For pending or abandoned applications please consult USPTO staff.**

**Total Assignments: 5**

**Patent #:** NONE      **Issue Dt:**      **Application #:** 10316127      **Filing Dt:** 12/09/2002  
**Publication #:** US20030161816      **Pub Dt:** 08/28/2003

**Inventors:** John K. Fraser, Marc H. Hedrick**Title:** Systems and methods for treating patients with processed lipoaspirate cells**Assignment: 1**

**Reel/Frame:** 013582/0958      **Recorded:** 12/09/2002      **Pages:** 2

**Conveyance:** ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS).

**Assignors:** DREW, JAMES HOWARD  
LIU, HUI      **Exec Dt:** 12/03/2002  
**Exec Dt:** 12/05/2002

**Assignee:** VERIZON LABORATORIES INC.

40 SYLVAN ROAD  
WALTHAM, MASSACHUSETTS 02451-1128

**Correspondent:** VERIZON CORPORATE SERVICES GROUP INC.

LEONARD CHARLES SUCHYTA  
600 HIDDEN RIDGE, HQE03H01  
IRVING, TX 75038

**Assignment: 2**

**Reel/Frame:** 016685/0375      **Recorded:** 06/10/2005      **Pages:** 5

**Conveyance:** ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS).

**Assignors:** FRASER, JOHN K.  
HEDRICK, MARC H.      **Exec Dt:** 04/04/2003  
**Exec Dt:** 03/07/2003

**Assignee:** MACROPORE BIOSURGERY, INC.

6740 TOP GUN STREET  
SAN DIEGO, CALIFORNIA 92121

**Correspondent:** KENTON R. MULLINS

STIUT, UXA, BUYAN & MULLINS, LLP  
4 VENTURE, SUITE 300  
IRVINE, CA 92618

**Assignment: 3**

**Reel/Frame:** 017543/0467      **Recorded:** 01/27/2006      **Pages:** 4

**Conveyance:** ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS).

**Assignors:** FRASER, JOHN K.  
HEDRICK, MARC H.      **Exec Dt:** 04/04/2003  
**Exec Dt:** 03/07/2003

**Assignee:** MACROPORE BIOSURGERY, INC.